

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

2022 NOV -1 AM 10:41

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DYLAN D. POLK,
aka "Dunk"

Defendant.

CASE NO. *22-00211*

JUDGE *Nagel*

INDICTMENT

18 U.S.C. § 922(g)(1)
18 U.S.C. § 922(o)(1)
18 U.S.C. § 924(a)(2)
18 U.S.C. § 924(a)(8)
18 U.S.C. § 924(c)(1)(A)(i)
21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(A)(vi)
21 U.S.C. § 841(b)(1)(C)
FORFEITURE ALLEGATIONS

THE GRAND JURY CHARGES:

COUNT 1

(Possession with Intent to Distribute Cocaine and
400 Grams or More of Fentanyl)

1. On or about October 3, 2022, in the Southern District of Ohio, the defendant, **DYLAN D. POLK, aka "Dunk"**, did knowingly, intentionally, and unlawfully possess with intent to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as "fentanyl", a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(vi) and 841(b)(1)(C).

COUNT 2

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

2. On or about October 3, 2022, in the Southern District of Ohio, the defendant **DYLAN D. POLK, aka “Dunk”**, did knowingly possess a firearm or firearms in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute cocaine and fentanyl, in violation of 21 U.S.C. §§ 841(a)(1), as alleged in Count One of this Indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

COUNT 3

(Felon in Possession of a Firearm)

3. On or about October 3, 2022, in the Southern District of Ohio, the defendant **DYLAN D. POLK, aka “Dunk”**, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm or firearms, to wit, a Glock, Model 23, Gen4, .40 caliber pistol, bearing serial number BLTX371, a Glock, Model 30, .45 caliber pistol, bearing serial number WAN901, a Glock, Model 27 Gen4, .40 caliber pistol, bearing serial number BNTE412, a Beretta, Model PX4 Storm, .40 caliber pistol, bearing serial number PZ508891, a Kimber, Model Rapide, 9mm caliber pistol, bearing serial number KF129537, and a Sig Sauer, Model SIGM400, 5.56 caliber rifle, serial number 20J012241, and said firearm or firearms were in and affecting interstate commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).

COUNT 4
(Possession of a Machine Gun)

4. On or about October 3, 2022, in the Southern District of Ohio, the defendant **DYLAN D. POLK, aka “Dunk”**, did knowingly possess a machine gun, that is a Glock, Model 30, .45 caliber pistol, bearing serial number WAN901, with attached conversion device, commonly referred to as a “Glock Switch” or “Glock Auto Sear”, which is a part or combination of parts designed and intended for use in converting a weapon into a machine gun.

In violation of 18 U.S.C. §§ 922(o)(1) and 924(a)(2).

FORFEITURE ALLEGATION A

5. The allegations of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America in accordance with 21 U.S.C. § 853(a)(1) and (2).

6. Upon conviction of the offense alleged in Count One of this Indictment, the defendant, **DYLAN D. POLK, aka “Dunk,”** shall forfeit to the United States, in accordance with 21 U.S.C. § 853(a)(1) and (2), all right, title and interest in any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation, including, but not limited to, the following:

- a. All property seized on or about October 3, 2022, during the execution of a search warrant at 4206 Sorren Court, Columbus, Ohio, including:
 - A PL\$ Money Order having a face value of \$1,154.00 in United States Currency;
 - Approximately \$4,717.00 in United States currency;
 - A Glock, Model 23 Gen4, .40 caliber pistol, bearing Serial Number BLTX371;

- A Glock, Model 30, .45 caliber pistol, bearing Serial Number WAN901, with attached conversion device, commonly referred to as a “Glock Switch” or “Glock Auto Sear”;
 - A Beretta, Model PX4 Storm, .40 caliber pistol, bearing Serial Number PZ508891;
 - A Kimber, Model Rapide, 9mm pistol, bearing Serial Number KF129537;
 - A Sig Sauer, Model SIG M400, 5.56 rifle, bearing Serial Number 20J012241; and
 - Assorted magazines and ammunition, including:
 - Approximately 34 rounds of assorted ammunition; and
 - Approximately 11 rounds of .40 caliber ammunition.
- b. All property seized on or about October 3, 2022, during the execution of a search warrant at 6183 Winnebago Street, Grove City, Ohio, including:
- Approximately \$20,000.00 in United States currency;
 - A Glock, Model 27 Gen4, .40 caliber pistol, bearing Serial Number BNTE412; and
 - Assorted magazines and ammunition, including approximately 6 rounds of .40 caliber ammunition.

Forfeiture notice pursuant to 21 U.S.C. § 853(a)(1) and (2) and Rule 32.2 of the Federal Rules of Criminal Procedure.

FORFEITURE ALLEGATION B

7. The allegations of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America in accordance with 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

8. Upon conviction of one or more of the offenses alleged in Counts Two, Three, and Four of this Indictment, the defendant, **DYLAND D. POLK, aka “Dunk,”** shall forfeit to the United States, in accordance with 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in such offenses, including, but not limited to:

- a. All firearms, magazines, and ammunition seized on or about October 3, 2022, during the execution of a search warrant at 4206 Sorren Court, Columbus, Ohio, including:
- A Glock, Model 23 Gen4, .40 caliber pistol, bearing Serial Number BLTX371;

- A Glock, Model 30, .45 caliber pistol, bearing Serial Number WAN901, with attached conversion device, commonly referred to as a “Glock Switch” or “Glock Auto Sear”;
 - A Beretta, Model PX4 Storm, .40 caliber pistol, bearing Serial Number PZ508891;
 - A Kimber, Model Rapide, 9mm pistol, bearing Serial Number KF129537;
 - A Sig Sauer, Model SIG M400, 5.56 rifle, bearing Serial Number 20J012241; and
 - Assorted magazines and ammunition, including:
 - Approximately 34 rounds of assorted ammunition; and
 - Approximately 11 rounds of .40 caliber ammunition.
- b. All firearms, magazines, and ammunition seized on or about October 3, 2022, during the execution of a search warrant at 6183 Winnebago Street, Grove City, Ohio, including:
- A Glock, Model 27 Gen4, .40 caliber pistol, bearing Serial Number BNTE412; and
 - Assorted magazines and ammunition, including approximately 6 rounds of .40 caliber ammunition.

Forfeiture notice pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

A TRUE BILL

s/Foreperson
FOREPERSON

KENNETH L. PARKER
UNITED STATES ATTORNEY


TIMOTHY D. PRICHARD (0059455)
Assistant United States Attorney